



Federal Communications Commission  
Washington, D.C. 20554

September 15, 2010

DA 10-1742

Nadja S. Sodos-Wallace  
Senior Regulatory Counsel and Assistant Secretary  
Clearwire Corporation  
1250 Eye Street, NW, Suite 901  
Washington, DC 20005

RE: WT Docket No. 06-136  
Requests for Extension of Time

NSAC, LLC  
Transition of the 2500-2690 MHz Band  
Transition Areas: BTA Number 441: Temple-Killeen, TX  
BTA Number 459: Waco, TX

Dear Ms. Sodos-Wallace:

On August 24, 2010, NSAC, LLC, a wholly-owned subsidiary of Clearwire Corporation (together “Clearwire”), filed requests for extension of time to complete the transition for the Basic Trading Areas (BTA) noted above.<sup>1</sup> For the reasons discussed below, we grant the Extension Requests and extend the deadline for completing the transition in those BTAs to March 15, 2011.

Nextel Spectrum Acquisition Corp. filed Initiation Plans for the Temple-Killeen, Texas and Waco, Texas BTAs on February 12, 2007.<sup>2</sup> Subsequently, Clearwire acquired control of NSAC, LLC, the successor-in-interest to Nextel Spectrum Acquisition Corp. from Sprint Nextel Corporation.<sup>3</sup> According to the Commission’s Rules, Clearwire was required to complete the transitions by mid-November, 2008.<sup>4</sup> The Broadband Division of the Wireless Telecommunications Bureau has previously granted Clearwire extensions to complete the transition in these BTAs until September 15, 2010.<sup>5</sup>

<sup>1</sup> Letters from Nadja S. Sodos-Wallace, Senior Regulatory Counsel and Assistant Secretary, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Aug. 24, 2010) (Extension Requests).

<sup>2</sup> Letters from Robert H. McNamara, Director, Spectrum Management, Government Affairs, Sprint Nextel Corporation, to Marlene H. Dortch, Federal Communications Commission, WT Docket No. 06-136 (dated Feb. 12, 2007) (2007 Letters). *See also* Initiation Plans Filed in WT Docket No. 06-136, *Public Notice*, 22 FCC Rcd 3836 (WTB 2007) at 4.

<sup>3</sup> 2007 Letters at 1. *See* Sprint Nextel Corporation and Clearwire Corporation, WT Docket No. 08-94, *Memorandum Opinion and Order*, 23 FCC Rcd 17570 (WTB 2008).

<sup>4</sup> *See* 47 C.F.R. §§ 27.1232(a) and (b)(1)(vi).

<sup>5</sup> *See* Letter from John J. Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications Bureau to Nadja Sodos-Wallace, Regulatory Counsel, Assistant Secretary, Clearwire Corporation, 25 FCC Rcd 2547 (WTB BD 2010); Letter from John J. Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications Bureau to Nadja Sodos-Wallace, Regulatory Counsel, Assistant Secretary, Clearwire Corporation, 24 FCC Rcd 11850 (WTB BD 2009); Letter from John J. Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications

Nadja S. Sodos-Wallace

Clearwire states that it had originally requested an extension because Central Texas Communications, Inc. (Central Texas) had requested a waiver to opt out of the transition.<sup>6</sup> On April 17, 2009, the Bureau granted Central Texas' opt out waiver in part.<sup>7</sup> Clearwire states that it and Central Texas have implemented a short-term solution that will allow both parties to operate.<sup>8</sup> Clearwire represents that it and Central Texas are negotiating a long-term solution and that it expects a resolution "in the very near future."<sup>9</sup>

We find that Clearwire has shown good cause for an additional extension. An additional extension will allow Clearwire and Central Texas to continue to work cooperatively to allow Clearwire to transition the Temple-Killeen and Waco BTAs while allowing Central Texas to continue operating pursuant to its opt-out waiver. Furthermore, it appears that no party would be prejudiced by a grant of this extension, particularly since licensees can continue operating pursuant to the old band plan until the transition is completed. We note that copies of the requests were served on the affected licensees, and no oppositions were filed. Thus, we grant Clearwire an extension of time to transition the Temple-Killeen, Texas and Waco, Texas BTAs until March 15, 2011.

Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 1.46 and 27.1232(b)(1)(vi) of the Commission's Rules, 47 C.F.R. §§ 1.46, 27.1232(b)(1)(vi) that the Requests for Extension of Time filed by NSAC, LLC on August 24, 2010 for the Temple-Killeen, Texas, and Waco, Texas ARE GRANTED, and the time for completing the transition in those BTAs IS EXTENDED TO March 15, 2011.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

Sincerely yours,

John J. Schauble  
Deputy Chief, Broadband Division  
Wireless Telecommunications Bureau

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Bureau to Nadia S. Sodos-Wallace, Regulatory Counsel, Assistant Secretary, Clearwire Corporation, 24 FCC Rcd 407, 413 (WTB BD 2009).

<sup>6</sup> See Extension Requests at 1.

<sup>7</sup> See Central Texas Communications, Inc., *Memorandum Opinion and Order*, 24 FCC Rcd 4715 (WTB 2009).

<sup>8</sup> See Extension Requests at 1.

<sup>9</sup> *Id.*